

## **Iowa Permit to Carry Weapons Frequently Asked Questions (FAQ)**

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### **DISCLAIMER**

The Iowa Department of Public Safety is not qualified or authorized to provide legal advice. This FAQ should not be construed as legal advice. Any person seeking legal advice should consult with an attorney licensed to practice law in Iowa. This document only reflects the DPS understanding of common issues and questions related to weapons permits in our administrative role relating to weapons permits.

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### **APPLICATION PROCEDURE**

**QUESTION:** How do I apply for a new, renewal, or duplicate Nonprofessional Permit to Carry Weapons?

**ANSWER:** Under Iowa law, the Nonprofessional Permit to Carry Weapons is issued to residents of Iowa by the Sheriff of the applicant's county of residence. In most counties, the applicant will need to either complete a paper application at the Sheriff's Office or print a blank application (available on the DPS website), complete it, and bring it to the Sheriff's Office. Several Iowa Sheriff's Office (including Black Hawk, Polk, and Scott Counties) are using an online version of the application form. An applicant should check with the Sheriff's Office of the applicant's county of residence to obtain details about the application procedure, including hours of operation, office location, and forms of payment accepted.

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### **FEES**

**QUESTION:** What is the fee to obtain a Nonprofessional Permit to Carry Weapons?

**ANSWER:** State law sets the fee for a new permit at \$50, a renewal at \$25, and a duplicate at \$25. Sheriffs are authorized to issue wallet size permit cards. These cards may be plastic, heavy card stock, or in some cases laminated paper. Sheriff's Offices that offer these wallet size permit cards typically charge an additional fee to defray the cost of producing the permit cards.

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## PERMIT ELIGIBILITY

QUESTION: How do I know if am eligible for a Permit to Carry Weapons?

ANSWER: When a person applies for a Permit to Carry Weapons, the issuing officer will run a NICS check to determine if the applicant is eligible for a Permit to Carry Weapons. The applicant must also complete an application that asks questions pertaining to eligibility. Falsification of an application is a criminal offense that could result in prosecution, so an applicant should take great care in completing the application. This FAQ does NOT attempt to describe in all necessary detail each and every type of firearm and weapons permit prohibitor, but a simplified description of circumstances that result in ineligibility for a Permit to Carry Weapons is as follows:

- Federal firearm prohibitors:
    - Felony conviction (a conviction for a crime punishable by more than one year, excluding a crime classified as a misdemeanor punishable by up to two years)
    - Fugitive from justice (active warrant)
    - Unlawful user of or addicted to a controlled substance
    - Adjudicated incompetent or committed to mental institution by a lawful authority, such as a District Court (includes committal for substance abuse)
    - Certain aliens (unlawful aliens and nonimmigrant aliens admitted under a visa)
    - Dishonorable discharge from the Armed Forces
    - Person who has renounced US Citizenship
    - Subject to a qualifying domestic protection order/restraining order
    - Conviction for a "Misdemeanor Crime of Domestic Violence" (MCDV)
    - Under indictment or information for a felony
  - State firearm prohibitors:
    - Felony conviction (includes aggravated misdemeanor involving a firearm or explosive)
    - Juvenile adjudication for a felony
    - Conviction for a "Misdemeanor Crime of Domestic Violence" (MCDV)
    - Subject to a qualifying domestic protection order/restraining order
  - Additional prohibitors for the Permit to Carry Weapons:
    - Alcohol addiction
    - Any serious or aggravated misdemeanor conviction under Iowa Code Chapter 708 (assault, harassment, stalking, etc...) not involving a firearm or explosive within the last three years
    - Probable cause exists to believe, based upon documented specific actions of the person, where at least one of the actions occurred within two years immediately preceding the date of the permit application, that the person is likely to use a weapon unlawfully or in such other manner as would endanger the person's self or others.
  - A person must be 21 years of age or older to obtain a Nonprofessional Permit to Carry Weapons, and 18 years of age or older to obtain a Professional Permit to Carry Weapons.
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## RENEWALS

QUESTION: I have a Nonprofessional Permit to Carry Weapons that will be expiring in the next 12 months. What do I need to do to renew the permit?

ANSWER: Iowa law specifies that an application to renew a permit must be submitted AT LEAST 30 days prior to the expiration of the current permit. An application submitted LESS THAN 30 days prior to the expiration of the current permit, or after the permit expires, cannot be accepted as a "renewal" application. Instead, it would need to be submitted and processed as a "new" application, which carries a higher fee.

QUESTION: Do I need to complete another training course to renew my Nonprofessional Permit to Carry Weapons?

ANSWER: Iowa law specifies that to renew a Permit to Carry Weapons, a person must complete any of the acceptable forms of training, OR, at the discretion of the applicant, the applicant may instead choose to qualify on a range under the supervision of a certified instructor. Iowa law does not prescribe a particular course of fire, so the instructor determines what constitutes qualification. The completion of another training course OR qualification on a range must occur within the 12 months prior to the expiration of the current permit. Since an

application for a renewal must be submitted AT LEAST 30 days prior to the expiration of the current permit, this effectively leaves an 11 month window in which a person must complete training OR qualify on a range.

QUESTION: What happens if I do not submit my application for renewal AT LEAST 30 days prior to the expiration of the current permit?

ANSWER: If a person waits until LESS THAN 30 days prior to the expiration of the current permit, or after the permit expires, the application will need to be submitted and processed as a "new" application. In such case, a person would be required to submit proof of training. There is no timeframe specified for when the training must have occurred. A person who misses the "renewal" window and files an application as a "new" application cannot present proof of qualification on a range to satisfy the training requirement, unless qualification is part of a training course. In other words, the option to simply qualify without completing a training course is ONLY available to those who are renewing a permit.

QUESTION: I am a military veteran and I obtained my Nonprofessional Permit to Carry Weapons by presenting a DD-214 that shows an honorable discharge (or general discharge under honorable conditions) to satisfy the training requirement. Can I show that DD-214 again to renew my permit?

ANSWER: Small arms training, as evidenced by a discharge document showing an honorable discharge or general discharge under honorable condition, is one of the acceptable forms of training for former service members. However, to renew a permit, a person must present documentation showing that one of the acceptable forms of training was completed within the 12 months prior to the expiration of the current permit. If a DD-214 was used to obtain a permit originally, that same document could not be used again in an application submitted as a "renewal," as there is no way the training could have occurred within the 12 months prior to the expiration of the current permit.

QUESTION: I am currently serving in the Armed Forces (or National Guard) and hold a Nonprofessional Permit to Carry Weapons. Can I use my military service record to renew my Permit to Carry Weapons?

ANSWER: Possibly. Given the requirement that any of the acceptable forms of training must be completed within the 12 months prior to the expiration of the current permit, it is possible that military small arms training and qualification could be used to renew a permit, but it depends on the timing of the training. Please consult with the Sheriff of your county of residence to discuss the details of your service record and your application.

QUESTION: I hold a Nonprofessional Permit to Carry Weapons, but have moved to a different county since the permit was issued. Can the Sheriff of my new county of residence renew my permit?

ANSWER: It is the DPS view that a Sheriff cannot renew a permit that the Sheriff's Office did not previously issue. As such, an application for a "new" permit would need to be submitted to the Sheriff of the new county of residence.

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## **DUPLICATES**

QUESTION: I lost my permit or my permit was damaged beyond recognition. Can I obtain a duplicate?

ANSWER: Yes. A duplicate permit can be obtained for a fee set by law at \$25. If the Sheriff offers a wallet size permit, there may be an additional fee to obtain a duplicate of this type of permit.

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## **CHANGE OF ADDRESS WITHIN IOWA**

QUESTION: I have moved since my permit was issued. Am I required to notify anyone of the change of address and/or am I required to obtain an updated permit showing my new address?

ANSWER: There is no specific requirement in Iowa Code Chapter 724 that a person update their weapons permit upon a change of residential address within the state (or upon a change of a mailing address). Given that there is no specific requirement to update a residence and/or mailing address on a "Permit to Acquire a Pistol or Revolver" or a "Permit to Carry Weapons," it is our view that a permit remains valid until the expiration date or until the permit is suspended or revoked for cause.

However, a licensed gun dealer, a law enforcement officer from another state, or some other party who is shown the permit may question the validity of the permit if it shows an out of date address. Though DPS is aware of no provision of law that requires notification or updating of a permit after a move, many people who have a permit with an out of date address may want to obtain a permit showing the new address. If a person has moved within the same county, the address change can be handled as a duplicate (updated to show the new address). If a person has moved from one county to another, the address change can only be handled as a "new" permit application.

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### **RELOCATION FROM IOWA TO ANOTHER STATE**

**QUESTION:** I hold a Nonprofessional Permit to Carry Weapons, but since the permit was issued, I have moved out of Iowa. Is my permit still valid?

**ANSWER:** Iowa law does not address this question. Though there is nothing that specifies that a permit is no longer valid if a person moves out of state, in order to be eligible to be issued a Nonprofessional Permit to Carry Weapons, a person must be an Iowa resident. As such, it seems possible that a court could conclude that a permit is no longer valid after a move out of state, but Iowa DPS is not aware of any cases addressing this issue. The most cautious course of action for a permit holder who moves out of state would be to assume the permit is not valid. By making this assumption, a person would not get the benefit of the remaining period of validity, which may be a lesser concern than assuming a permit remained valid, but having a court rule otherwise.

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### **RELOCATION TO IOWA FROM ANOTHER STATE**

**QUESTION:** I am moving to Iowa from another state. Can I transfer my permit from another state to Iowa?

**ANSWER:** Iowa law does not provide a mechanism to transfer another state's permit for an Iowa permit upon establishing residency in Iowa. As such, a person relocating to Iowa will simply apply for a new Iowa Permit to Carry Weapons at the Sheriff's Office of the person's new county of residence. However, it is possible that the training completed for the permit from another state might satisfy the training requirement for the Iowa Permit to Carry Weapons. Under Iowa law, a person must complete any handgun safety training course utilizing an NRA certified instructor or a state law enforcement certified instructor. Additionally, a person can use military small arms training to satisfy the training requirement if the person had an honorable discharge or a general discharge under honorable conditions. If a person has documentation of training and the instructor was NRA or law enforcement certified, or if a person has military small arms training, then that training will satisfy the requirement for Iowa.

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### **NAME CHANGES**

**QUESTION:** I recently had a change in marital status, and I changed my legal name as a result. Do I need to obtain an updated permit showing my new legal name?

**ANSWER:** There is no specific requirement in Iowa Code Chapter 724 that a person update their weapons permit upon a change of name. Given that there is no specific requirement to update a permit after a name change, it is the DPS view that a permit remains valid until the expiration date or until the permit is suspended or revoked for cause.

However, a person may encounter difficulty using a permit with an old name to acquire a firearm, and given the concern that others may question the validity of the permit, we have previously suggested that permit holders might wish to obtain a new permit from the sheriff of the county where the person now resides. If a person has changed names and moved to a different county, then it will be necessary to apply for a new permit. If a person has changed names and not moved (or moved within the same county) the request should be processed as a duplicate application filed with the Sheriff's Office that issued the original permit.

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## RECOGNITION/RECIPROCIITY

QUESTION: I live in another state. Will Iowa honor my weapon permit issued in another state?

ANSWER: Iowa has what we commonly call "universal recognition." As a matter of law, any permit or license to carry issued by another state is recognized as if it were an Iowa Permit to Carry Weapons, but only if such permit or license is held by a person who is NOT an Iowa resident.

QUESTION: My state requires a reciprocity agreement before it can recognize an out-of-state permit. Will Iowa enter into such a reciprocity agreement?

ANSWER: No. Iowa law does not provide for entering into reciprocity agreements with states that require them. Instead, Iowa has "universal recognition."

QUESTION: I live in Iowa and hold a Nonprofessional Permit to Carry Weapons. Which states recognize the Iowa Permit to Carry Weapons?

ANSWER: Iowa DPS does not maintain a list of states that honor/recognize the Iowa Permit to Carry Weapons, in large part because any attempt to do so could result in Iowa residents acting on incomplete or out-of-date information. Additionally, it is not enough to simply know if a state recognizes the Iowa Permit to Carry Weapons. A person wishing to carry in another state should also be aware of any limitations or restrictions on carrying (even with a permit). Some states have special restrictions that apply in bars or restaurants that serve alcohol. Others have restrictions that apply to churches, government property, etc... Some states, such as Iowa, invalidate a permit if a person is intoxicated, while others do not permit carrying while a person is consuming alcohol (even if they are not to the point of intoxication). Iowa DPS encourages permit holders to contact the state(s) where they will be traveling to get current information from the people/agencies that are in the best position to know and fully understand the laws of that state. When a person contacts another state, the person may get more information than simply whether a state honors the Iowa Permit to Carry Weapons.

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## TRAINING

QUESTION: What are the training requirements for a new Permit to Carry Weapons?

ANSWER:

- Completion of any National Rifle Association (NRA) handgun safety training course.
- Completion of any handgun safety training course available to the general public offered by a law enforcement agency, community college, college, private or public institution or organization, or firearms training school, utilizing instructors certified by the National Rifle Association or certain other firearms training certifying bodies (such as the Iowa Law Enforcement Academy).
- Completion of any handgun safety training course offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement or security enforcement agency approved by the Iowa Department of Public Safety.
- Completion of small arms training while serving with the armed forces of the United States as evidenced by any of the following:
  - For personnel released or retired from active duty, possession of an honorable discharge or general discharge under honorable conditions.
  - For personnel on active duty or serving in one of the national guard or reserve components of the armed forces of the United States, possession of a certificate of completion of basic training with a service record of successful completion of small arms training and qualification.
- Completion of a law enforcement agency firearms training course that qualifies a peace officer to carry a firearm in the normal course of the peace officer's duties.

QUESTION: What are the training requirements to renew a Permit to Carry Weapons?

ANSWER: To renew a Permit to Carry Weapons, a person must complete any of the above forms of training within the 12 months prior to the expiration of the current permit, or, at the discretion of the permit holder, qualify on a range under the supervision of a certified instructor. Iowa law does not prescribe a particular course of fire, so the instructor determines what constitutes qualification.

QUESTION: Can there be additional training requirements imposed by the Iowa Department of Public Safety or a Sheriff's Office for a new or renewal Permit to Carry Weapons?

ANSWER: An issuing officer cannot impose additional training requirements in excess of those identified in Iowa law.

QUESTION: What documentation of training is acceptable for the application for a new Iowa Permit to Carry Weapons? Can I still use the Iowa firearms safety training program Form WP-0?

ANSWER: As of January 1, 2011, Iowa law no longer authorizes the Iowa Department of Public Safety to publish the Form WP-0. The following documentation will be acceptable:

- A photocopy of a certificate of completion or any similar document indicating completion of any course or class identified above.
- An affidavit from the instructor, school, organization, or group that conducted or taught a course or class identified above attesting to the completion of the course or class by the applicant.
- A photocopy of a DD-214 or other documentation showing honorable or general discharge under honorable conditions from military service.

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## **USE OF PERMIT TO CARRY WEAPONS AS A PERMIT TO ACQUIRE A PISTOL OR REVOLVER**

QUESTION: I hold an Iowa Permit to Carry Weapons and want to acquire a handgun. Do I also need to obtain a Permit to Acquire a Pistol or Revolver?

ANSWER: No. In most cases a person acquiring a handgun is required to hold a Permit to Acquire a Pistol or Revolver, but there are exceptions. One such exception is granted to a person who holds a Permit to Carry Weapons. As such, DPS commonly says that a Permit to Carry Weapons is "recognized" as a Permit to Acquire a Pistol or Revolver as shorthand to describe this exception.

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## **DUTY TO CARRY PERMIT**

QUESTION: When I am going armed, do I need to carry my permit on my person, or can law enforcement simply run a check to see if I hold a valid permit?

ANSWER: There is no central database for the Permit to Carry Weapons. As such, a person who goes armed should carry their permit on their person. A person who goes armed with a concealed handgun and who holds a Permit to Carry Weapons, but does not have it on their person, commits a simple misdemeanor.

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## **PERIOD OF PERMIT VALIDITY**

QUESTION: How long will my Nonprofessional Permit to Carry Weapons be valid?

ANSWER: The Nonprofessional Permit to Carry Weapons is valid for five years, unless suspended or revoked for cause.

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## **PERMIT RESTRICTIONS AND PERMIT VALIDITY**

QUESTION: Can my permit be restricted?

ANSWER: No. Permits issued after January 1, 2011, are valid statewide except where carrying or possession of a firearm is prohibited by state or federal law. Permits cannot be further restricted by the issuing officer.

QUESTION: I understand that my permit is valid statewide, but are there places or circumstances where my permit is not valid?

ANSWER: A Permit to Carry Weapons is valid statewide, except where carrying or possession of a firearm is prohibited by state or federal law. A simplified list of circumstances and places where a permit may not be valid under state law is as follows:

- During any period of intoxication by alcohol, drugs, or a combination of alcohol and drugs
- K-12 school grounds

- State Board of Regents institutions (University of Iowa, Iowa State University, University of Northern Iowa)
- State licensed casinos
- State capitol complex buildings
- State fairgrounds
- State parks and preserves (only use is prohibited, not carrying/possession)
- State game refuge
- While riding in ATV-
- While riding a snowmobile
- While bowhunting

QUESTION: Can the owner of private property (to include businesses/employers) regulate the carrying of weapons on their private property?

ANSWER: The topic of firearms restrictions on private property and in the workplace is not addressed in Iowa firearms law.

### **DECLARATION UPON CONTACT WITH A PEACE OFFICER**

QUESTION: If I am stopped by a law enforcement officer in Iowa, am I required to declare that I am carrying a loaded firearm?

ANSWER: No, but it is really good idea. Iowa law does not require such a declaration; however, as a safety measure for both the permit holder and the officer, making such a declaration voluntarily is recommended and encouraged.

### **OTHER QUESTIONS**

QUESTION: Will my Iowa driver's license be flagged to indicate that I have an Iowa permit to carry?

ANSWER: No.

QUESTION: Can fingerprints be collected in conjunction with submittal of an application for a permit?

ANSWER: If an issuing officer encounters a situation that involves a dispute related to the identity of an applicant or a conviction that is attributed to an applicant, the submission of fingerprints may be the most expedient method to clear up the dispute regarding identity or criminal history. Fingerprints might also help to accelerate the process of an appeal to the FBI of a denial based on a NICS check.

QUESTION: I live in another state. Can I get an Iowa Nonprofessional Permit to Carry Weapons?

ANSWER: No. Iowa nonprofessional permits to carry weapons will only be issued to qualified Iowa residents. Nonresidents will still be able to apply for professional permits to carry weapons if needed for employment related reasons.

QUESTION: If my permit application is denied, or my permit is suspended or revoked, and I wish to appeal the denial, how would I do that?

ANSWER: A denial, suspension, or revocation based solely on the results of a NICS check must be appealed to FBI NICS. Any other denial, suspension, or revocation may be appealed to an Administrative Law Judge. Information about appealing to an Administrative Law Judge is available in a separate [FAQ](#).